

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

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6 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT STATE EMPLOYEES WHO ARE COVERED
7 BY A COLLECTIVE BARGAINING AGREEMENT THAT PROVIDES REIMBURSEMENT ARE NOT ENTITLED
8 TO OBTAIN THE PER DIEM REIMBURSEMENT AT THE SAME RATE THAT ALL OTHER STATE
9 EMPLOYEES ARE REIMBURSED; AND AMENDING SECTION 2-18-501, MCA."

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11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12

13 **Section 1.** Section 2-18-501, MCA, is amended to read:

14 **"2-18-501. Meals, lodging, and transportation of persons in state service.** All elected state
15 officials, appointed members of boards, commissions, or councils, department directors, and all other state
16 employees, except those covered by a collective bargaining agreement that provides an alternate method
17 of reimbursement, must be reimbursed for meals and lodging while away from the person's designated
18 headquarters and engaged in official state business in accordance with the following provisions:

19 (1) Except as provided under subsection (3), for travel within the state of Montana, lodging must
20 be authorized at the actual cost of lodging, not exceeding \$35 ~~per~~ a day, and taxes on the allowable cost
21 of lodging, except as provided in subsection (3), plus \$5 for the morning meal, \$6 for the midday meal,
22 and \$12 for the evening meal. All claims for lodging expense reimbursement allowed under this section
23 must be documented by an appropriate receipt.

24 (2) Except as provided in subsection (3), for travel outside the state of Montana and within the
25 United States, the following provisions apply:

26 (a) Lodging must be reimbursed at actual cost, not to exceed the prescribed maximum standard
27 federal rate ~~per~~ for each day for the location involved plus taxes on the allowable cost.

28 (b) Meal reimbursement may not exceed the prescribed maximum standard federal rate ~~per~~ for
29 each meal.

30 (3) The department shall designate the locations and circumstances under which the governor,

1 other elected state officials, appointed members of boards, commissions, or councils, department directors,
2 and all other state employees may be authorized the actual cost of lodging when the actual cost exceeds
3 the maximum established in subsection (1) or (2)(a).

4 (4) For travel to a foreign country, the following provisions apply:

5 (a) All elected state officials, appointed members of boards, commissions, or councils, department
6 directors, and all other state employees must be reimbursed for the cost of meals and lodging within the
7 rates established by the department of administration when traveling in the normal course of their duties
8 to designated areas. The department shall use the United States department of state maximum travel per
9 diem allowances for foreign areas in establishing the rates.

10 (b) All claims for lodging reimbursement allowed under this subsection (4) must be documented
11 by an appropriate receipt.

12 (5) When other than commercial, nonreceiptable lodging facilities are used by a state official or
13 employee while conducting official state business in a travel status, the amount of \$12 is authorized for
14 lodging expenses for each day in which travel involves an overnight stay in lieu of the amount authorized
15 in subsection (1)(a) or (2)(a). However, when overnight accommodations are provided at the expense of
16 a government entity, reimbursement may not be claimed for lodging.

17 (6) The actual cost of reasonable transportation expenses and other necessary business expenses
18 incurred by a state official or employee while in an official travel status is subject to reimbursement.

19 (7) The provisions of this section ~~may not be construed as affecting~~ do not affect the validity of
20 5-2-301.

21 (8) The department of administration shall establish policies necessary to effectively administer
22 this section for state government.

23 (9) All commercial air travel must be by the least expensive class service available."

24 - END -